REMARKS/ARGUMENTS

Specification

Page 1 of the specification has been updated: the first line of Page 1 of the specification has been deleted and replaced by a paragraph entitled "Cross-Reference to Related Applications". A replacement Declaration is enclosed. The Applicant submits that this amendment introduces no new matter.

In response to the Examiner's Office Action of March 21, 2006 the Applicant respectfully submits the accompanying Amendment to the claims and the below Remarks.

Regarding Amendments

Page 1 of the specification has been updated to include a paragraph entitled "Cross-Reference to Related Applications".

Independent claim 1 is amended to specify that the claimed telescope has an image sensor for sensing the image optically received by the telescope which the printer uses to create a graphic image, and a display which displays the sensed image to a user. Support for this amendment can be found, for example, at page 7, lines 9-22 of the present specification;

dependent claim 2 is amended accordingly; and

dependent claims 3-10 are unchanged.

It is respectfully submitted that the above amendments do not add new matter to the present application.

Regarding 35 USC 102(a) and 102(e) Rejections

It is respectfully submitted that the subject matter of above-described amended independent claim 1, and claims 2, 4-8 and 10 dependent therefrom, is not disclosed by Silverbrook (US 6,357,135), for at least the following reasons.

In the present invention, the telescope 800 includes a printer body portion 803 from which the telescopic lens components 802 and 805 extend. The image sensor is provided within the lens portion 805 and relays information on images received by the lens components electronically to the eyepiece in which a display unit is provided. This

arrangement is employed so that the in-built printer does not substantially increase the size of the telescope whilst providing ease of use (see page 7, lines 9-22 of the present specification). Independent claim 1 has been amended as described above to clearly recite these features of the present invention.

On the other hand, Silverbrook merely discloses attaching a printer to binocular glasses 1, as illustrated in Fig. 1 of Silverbrook. As such the printer is not "in-built". As a result, a beam splitter device 8 is used to split the images optically received by the glasses to be received by a user and a CCD system 14. The split image received by the CCD system is relayed to the printer for printing (see col. 3, lines 1-57 of Silverbrook).

Thus, Silverbrook does not disclose a telescope having an image sensor for sensing images optically received by the telescope, an in-built printer for creating graphic images from the sensed image and a display for displaying the sensed image to a user, as required by amended independent claim 1.

Thus, the subject matter of amended independent claim 1, and claims 2-10 dependent therefrom, is not disclosed by Silverbrook.

Regarding 35 USC 103(a) Rejections

It is respectfully submitted that the subject matter of dependent claims 3 and 9 is not taught or suggested by Silverbrook either taken alone or in combination with Silverbrook (US 2005/0275691), for at least the following reasons.

There is no motivation from the disclosure of Silverbrook for one of ordinary skill in the art to modify the disclosed glasses so as to build the printer into the glasses, since this would require further modifications to the glasses, such as omission of the beam splitter device, which is not suggested by Silverbrook.

That is, the building-in of the printer into the telescope of the claimed invention is not a mere workshop variation, as asserted by the Examiner, as further modification of the structure and operation of the telescope is required, such as the inclusion of an electronic display for displaying the images received by the telescope via the image sensor, rather than merely through a lens and eyepiece system, as is conventional.

Further, Silverbrook '691 does not make up for these deficiencies in Silverbrook, because Silverbrook '691 does not teach or suggest a telescope having an image sensor for sensing images optically received by the telescope, an in-built printer for creating graphic images from the sensed image and a display for displaying the sensed image to a user, as required by amended independent claim 1.

Thus, the subject matter of amended independent claim 1, and claims 2-10 dependent therefrom, is not taught or suggested by Silverbrook either taken alone or in combination with Silverbrook '691.

It is respectfully submitted that all of the Examiner's rejections have been traversed. Accordingly, it is submitted that the present application is in condition for allowance and reconsideration of the present application is respectfully requested.

Very respectfully,

Applicant:

KIA SILVERBROOK

Applicant:

JANETTE FAYE LEE

C/o: Silverbrook Research Pty Ltd
393 Darling Street
Balmain NSW 2041, Australia

Email: kia.silverbrook@silverbrookresearch.com
Telephone: +612 9818 6633
Facsimile: +61 2 9555 7762